

1 Fain Anderson VanDerhoef Rosendahl  
2 O'Halloran Spillane PLLC  
3 701 Fifth Avenue, Suite 4750  
4 Seattle, WA 981  
5 Phone: (206) 749-0094  
6  
7  
8

9 UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 THE ESTATE OF CINDY LOU HILL,  
12 by and through its personal  
13 representative, Joseph A. Grube,

14 Plaintiff,

15 v.

16 NAPHCARE, INC, an Alabama  
17 corporation; and SPOKANE COUNTY,  
18 a political subdivision of the State of  
19 Washington,

20 Defendants.

NO. 2:20-cv-00410-MKD

DEFENDANT NAPHCARE, INC.'S  
RESPONSE TO PLAINTIFF'S  
OBJECTIONS TO PROPOSED  
EXHIBITS 134, 135 AND 137

21 Plaintiff objects to the redactions proposed to Exhibits 134 and 135 stating  
22 that Defendant NaphCare supplemented the exhibits. Defendant NaphCare has  
23 reviewed both exhibits. The additional pages in Exhibits 134 and 135 was  
24 unintentional and an error from an earlier proposed redaction of both documents.  
25

DEFENDANT NAPHCARE, INC.'S RESPONSE TO  
PLAINTIFF'S OBJECTIONS TO PROPOSED  
EXHIBITS 134, 135 AND 137 - 1

Case No. 2:20-cv-00410-MKD

FAIN ANDERSON VANDERHOEF  
ROSENDAHL O'HALLORAN SPILLANE, PLLC  
701 Fifth Avenue, Suite 4750  
Seattle, WA 98104  
p. 206-749-0094 • f. 206-749-0194

1 It is clear to Defendant NaphCare that reviewing the exhibits with the  
 2 redactions is difficult. Defendant NaphCare did not want to delete any of the pages  
 3 in its proposed redactions so that all the parties could see the redacted pages  
 4 without extracting those pages from the exhibit. However, we realize that keeping  
 5 those pages in the exhibit was interpreted by Plaintiff as pages we expected to keep  
 6 in the proposed final exhibit that went to the jury. On the contrary, we were hopeful  
 7 this would be the easiest method for the parties to go through each exhibit by page  
 8 number, obtain the rulings from the court, and then Defendant NaphCare would  
 9 finalize the exhibit after those rulings.

10 Now, in response to Plaintiff's objections and in an attempt to provide the  
 11 most clearly redacted documents, Defendant NaphCare responds with another  
 12 proposed Exhibit 134 (36 pages), 135 (17 pages) and 137 (3 pages) which only  
 13 includes the pages proposed to be admitted. We put together these newly redacted  
 14 and shortened exhibits with the intent to make this most efficient for the parties at  
 15 the hearing on Friday, July 8<sup>th</sup> at 9am.

16  
 17 DATED this 7th day of July, 2022.

18 By: s/Erin E. Ehlert

19 Ketia B. Wick, WSBA #27219

20 Erin E. Ehlert, WSBA #26340

21 Attorneys for Defendant NaphCare,  
 Inc.

22 Fain Anderson VanDerhoef Rosendahl

23 O'Halloran Spillane, PLLC

24 701 Fifth Avenue, Suite 4750

25 Seattle, WA 98104

(206) 749-0094

[ketia@favros.com](mailto:ketia@favros.com)

[erine@favros.com](mailto:erine@favros.com)

DEFENDANT NAPHCARE, INC.'S RESPONSE TO  
 PLAINTIFF'S OBJECTIONS TO PROPOSED  
 EXHIBITS 134, 135 AND 137 - 2

Case No. 2:20-cv-00410-MKD

FAIN ANDERSON VANDERHOEF  
 ROSENDAHL O'HALLORAN SPILLANE, PLLC  
 701 Fifth Avenue, Suite 4750  
 Seattle, WA 98104  
 p. 206-749-0094 • f. 206-749-0194

**CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF System. The NEF for the foregoing specifically identifies recipients of electronic notice.

***Counsel for Plaintiffs***

Erik J. Heipt, WSBA #28113  
Edwin S. Budge, WSBA #24182  
Hank

Budge & Heipt PLLC

808 East Roy Street

Seattle, WA 98102

206-624-3060

Fax: 206-621-7323

[erik@budgeandheipt.com](mailto:erik@budgeandheipt.com)

[ed@budgeandheipt.com](mailto:ed@budgeandheipt.com)

[hank@budgeandheipt.com](mailto:hank@budgeandheipt.com)

***Counsel for Spokane County***

John E. Justice, WSBA #23042

Law, Lyman, Daniel, Kamerrer & Bogdanovich,  
P.S.

P.O. Box 11880

Olympia, WA 98508

360-754-3480

Fax: 360-754-3480

[jjustice@lldkb.com](mailto:jjustice@lldkb.com)

☐ Regular U.S. Mail  
☐ Facsimile  
☐ ABC Legal Messenger  
☒ E-mail/ ECF

☐ Regular U.S. Mail  
☐ Facsimile  
☐ ABC Legal Messenger  
☒ E-mail/ ECF

Signed at Seattle, Washington this 7th day of July, 2022.

/s/Kenya Owens

Kenya Owens, Legal Assistant

DEFENDANT NAPHCARE, INC.'S RESPONSE TO  
PLAINTIFF'S OBJECTIONS TO PROPOSED  
EXHIBITS 134, 135 AND 137 - 3

Case No. 2:20-cv-00410-MKD

FAIN ANDERSON VANDERHOEF  
ROSENDAHL O'HALLORAN SPILLANE, PLLC  
701 Fifth Avenue, Suite 4750  
Seattle, WA 98104  
p. 206-749-0094 • f. 206-749-0194